

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Escrow Agent Registration Act of Washington
by:

Kathleen Ann Hurley,
Designated Escrow Officer,

Respondents.

NO. C-03-158-03-FO01

FINAL ORDER

I. DIRECTOR'S CONSIDERATION

A. Review. This matter has come before the Director to review the Statement of Charges and Notice of Intent to Assess Monetary Penalties, Revoke License, and Prohibit from Participation in the Escrow Industry ("Statement of Charges") entered by the Director through her designee, Acting Assistant Director Chuck Cross, on August 15, 2003. A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Kathleen Ann Hurley ("Respondent"). The Department served the Statement of Charges, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Respondent by certified mail, and Respondent signed for the documents on August 18, 2003. Respondent did not request an administrative hearing.

B. Record of Proceedings. The record presented to the Director for her review and for entry of a final decision included the Statement of Charges, the Notice of Opportunity to Defend and Opportunity for Hearing, the blank Application for Adjudicative Hearing, and documentation of service.

C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the Director hereby adopts the Statement of Charges, which is attached hereto.

1 II. FINAL ORDER

2 Based upon the foregoing, and the Director having considered the entire record and being
3 otherwise fully advised, NOW, THEREFORE:

4 A. IT IS HEREBY ORDERED, That:

- 5 1. The license of Kathleen Ann Hurley to do business as an escrow officer is revoked; and
6 2. Kathleen Ann Hurley is prohibited from participation in the conduct of the affairs of a
7 licensed escrow agent as an officer, principal, or employee of any licensed escrow agent or
8 any person subject to licensing under this chapter for ten (10) years; and
9 3. Kathleen Ann Hurley pay a fine in the amount of \$12,000.00; calculated at \$100.00
per day for thirty days:
one violation of RCW 18.44.301(6); and
10 one violation of RCW 18.44.400; and
11 two violations of RCW 18.44.430(1).

12 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for
13 Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the
14 Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW,
15 Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200,
16 within ten (10) days of service of the Final Order upon Respondent. The Petition for Reconsideration shall
17 not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial
18 review in this matter.

19
20 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the
21 petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice
22 specifying the date by which it will act on a petition.

1 C. Stay of Order. The Director has determined not to consider a Petition to Stay the
2 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial
3 Review made under chapter 34.05 RCW and RCW 34.05.550.

4 D. Judicial Review. Respondents have the right to petition the superior court for judicial
5 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a
6 Petition for Judicial Review, see RCW 34.050.510 and sections following.

7 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
8 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service attached hereto.
9

10
11 DATED this 23rd day of September, 2003.

12
13 STATE OF WASHINGTON
14 DEPARTMENT OF FINANCIAL INSTITUTIONS

15 /S/
16 Helen P. Howell
17 Director
18
19
20
21
22
23
24